IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

Bail Appl..No. 2034 of 2007()

CRIME NO.145/2007 OF PERINTHALMANNA POLICE STATION

PETITIONERS/ACCUSED NOS.2 TO 4:

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1. PATHUMMA, W/O.MAMMU,
PUNCHAYIL HOUSE, AAKKAPARAMBA,
PERINTHALMANNA, MALAPPURAM DISTRICT.

2. MUHAMMED ALI, S/O.MAMMU,
PUNCHAYIL HOUSE, AAKKAPARAMBA,
PERINTHALMANNA, MALAPPURAM DISTRICT.

3. SIDDIQUE S/O.KUNHALIPPU,
PUNCHAYIL HOUSE, AAKKAPARAMBA,
PERINTHALMANNA, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
PERINTHALMANNA POLICE STATION- THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2034/2007

Dated this 4th day of April, 2007

O R D E R

The petitioners, who are accused Nos. 2 to 4 in Crime No.145/2007 of Perinthalmanna Police Station for offences punishable under Sections 447, 323, 324 and 506(i) IPC read with Section 34 IPC and also under Section 3(1)(x) of the Scheduled Casts and Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeks anticipatory bail.

2. The case of the prosecution is that on 3.3.2007 at about 7.00 p.m, the defacto complainant, Chami, and his sister were assaulted by the petitioners.

3. In view of the power under Section 18 of the Special Act, anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer and then to have their applications for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 10.4.2007 and 12.4.2007 for the purpose of interrogation. The petitioners shall, thereafter, be produced on the same day

before the Magistrate having jurisdiction, who shall release the petitioners on bail on appropriate conditions.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs